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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
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12 **ANTHONY ROSIER WILSON,**

13 **Petitioner,**

14 **v.**

15 **ANTHONY HEDGPETH, Warden, Salinas Valley**
16 **State Prison,**

17 **Respondent.**

Case No.: 11-CV-06479 YGR

ORDER DENYING REQUEST FOR
CERTIFICATE OF APPEALABILITY

18 On December 20, 2011, Anthony Rosier Wilson petitioned this Court for a writ of habeas
19 corpus pursuant to 28 U.S.C. § 2254. On December 16, 2013, the Court denied Wilson's petition.
20 (Dkt. No. 9.) On January 15, 2014, Wilson filed a notice of appeal with the Ninth Circuit. (Dkt. No.
21 11.) On January 27, 2014, the Ninth Circuit construed Wilson's notice of appeal as a request for a
22 certificate of appealability and remanded Wilson's case to this Court for the limited purpose of
23 granting or denying such certificate. (Dkt. No. 15; *see also* 28 U.S.C. § 2253(c); Fed. R. App. P.
24 22(b); *United States v. Asrar*, 116 F.3d 1268, 1270 (9th Cir. 1997).)


25 The Court **DENIES** the petitioner's request for a certificate of appealability because Wilson has
26 not made "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The
27 Court denied Wilson's habeas petition after careful consideration of the merits. The Court found no
28 violation of Wilson's federal constitutional rights in the underlying state court proceedings. Nor has

1 Wilson demonstrated that "reasonable jurists would find the district court's assessment of the
2 constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Petitioner
3 may seek a certificate of appealability from the Court of Appeals.

4 The Clerk shall forward to the Ninth Circuit this case's record, along with this Order.

5 **IT IS SO ORDERED.**

6 Date: January 30, 2014

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8 YVONNE GONZALEZ ROGERS
9 UNITED STATES DISTRICT COURT JUDGE
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United States District Court
Northern District of California